

**HUNTINGTON BEACH  
OFFICE OF THE ZONING ADMINISTRATOR  
EXECUTIVE SUMMARY**

**TO:** Zoning Administrator  
**FROM:** Jill Arabe, Planning Aide  
**DATE:** November 5, 2008

**SUBJECT:** **CONDITIONAL USE PERMIT NO. 2008-041 (TRADER JOE'S OUTDOOR DISPLAY)**

**LOCATION:** 21431 Brookhurst Street, 92646 (northwest corner of Brookhurst Street and Hamilton Avenue)

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**Applicant:** Bruce Manzer, 1122 Bristol Street, Costa Mesa, CA 92626

**Property Owner:** Ayres Brookhurst Plaza, 355 Bristol Street, Suite A, Costa Mesa, CA 92626

**Request:** To permit a 53 sq. ft. outdoor display area of merchandise for Trader Joe's.

**Environmental Status:** This request is covered by Categorical Exemption, Section 15311, Class 11, California Environmental Quality Act.

**Zone:** CG (Commercial General)

**General Plan:** CG – F1 (Commercial General – maximum 0.35 Floor Area Ratio)

**Existing Use:** Commercial Building

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**RECOMMENDATION:** Staff recommends approval of the proposed project based upon the following findings:

**SUGGESTED FINDINGS FOR PROJECTS EXEMPT FROM CEQA:**

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15311 of the CEQA Guidelines, because the project consists of the placement of minor structures accessory to an existing commercial use.

**SUGGESTED FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 2008-041:**

1. Conditional Use Permit No. 2008-041 to permit a 53-square foot outdoor display of merchandise will not be detrimental to the general welfare of persons working or residing in the vicinity or detrimental to the value of the property and improvements in the neighborhood. The outdoor display is limited to an area within close proximity of the entrance to the retail store. It will not encroach into pedestrian paths or vehicular drive aisles. The display will function during normal business hours and be moved indoors before closing.
2. The conditional use permit will be compatible with surrounding uses because it is accessory to an existing commercial use. The outdoor display will contain merchandise found within the store. It will be located within the confines of the roof and not interfere with required access.
3. The proposed conditional use permit will comply with the provisions of the base district and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance, which allows for the outdoor display of merchandise pursuant to a conditional use permit.
4. The granting of the conditional use permit will not adversely affect the General Plan. It is consistent with the Land Use Element designation of Commercial General on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:

LU 10.1.11 Promote the introduction of a diversity of uses in Commercial General centers, particularly those containing anchor grocery stores that improve their relationship with surrounding residential neighborhoods and increasing their viability as places of community activity.

ED 2.2.3 Promote Huntington Beach businesses to increase their visibility and local patronage.

The proposed project is ancillary to a grocery store and is located in close proximity of the store's entrance. The use will provide a display of seasonal products to customers. The project consists of a small-scale display area and is visible from the parking lot.

**SUGGESTED CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 2008-041:**

1. The site plan, floor plans, and elevations received and dated September 29, 2008, shall be the conceptually approved design.
2. The use shall comply with the following:
  - a. Hours of operation shall be consistent with grocery store hours (daily, 8:30 AM to 9:00 PM).
  - b. The outdoor display area shall not encroach into any required pedestrian or vehicular access.

**INDEMNIFICATION AND HOLD HARMLESS CONDITION:**

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.